IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.34820 of 2007
RAJNARAIN SINGH & ORS
Versus
STATE OF BIHAR
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9. 02.07.2008 Heard the learned Counsel for the petitioners and the learned counsel for the State.

The petitioners who are family members of the husband apprehend arrest in a Police case under Sections 304B and 201/34 of the Penal Code.

Provisional bail was granted to them by order dated 26.9.2007 for reasons noticed therein of the deceased having died of cardiac respiratory failure noticed in Para 19 of the case diary when there was statement recorded of the treating doctor and of the Superintendent of Police who supervised the matter so there was no occasion to question the same. The Superintendent of Police in response to the query of the Court sought leave for fresh investigation before the court below when now learned Counsel for the State p[points out from the case diary that on verification of the Hospital Register where the said Civil Assistant Surgeon was employed referred to in Para 19 of the original case diary no details were found to be entered with regard to the deceased having been admitted or treated. This Court considers the same as sufficient justification not to confirm the provisional bail with regard to petitioners 1 to 3. The application is rejected in so far as they are concerned.

Itg is submitted that petitioner no. 2 is a minor. However the submission is not supported by any pleadings in

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that regard. On the date that petitioner no. 2 surrenders and files a proper application with materials or the court below on bare perusal of the physical appearance of petitioner no. 2 is satisfied of the factum of his minority it shall proceed to enlarge him on bail when her surrenders after recording his satisfaction without being prejudiced by the present order.

In so far as petitioner no. 4 is concerned considering that she is a young unmarried girl with no direct allegation against her this Court considers it proper to direct the petitioner no. 4 namely Renu Devi to surrender in the court below within a period of four weeks from today when she shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Motihari, East Champaran in Sugauli PS Case No. 2 of 2006, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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Snkumar/-

(Navin Sinha,J.)